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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)	Examiner: Jonathan M. FOREMAN
Mark J. CLIFFORD et al.)	Art Unit: 3736
Serial No.: 10/601,300)	Confirmation No.: 5880
Filed: June 18, 2003)	Customer No.: 22430
For: METHODS AND DEVICES FOR CUTTING AND COLLECTING SOFT TISSUE)	<u>COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE</u>
Atty. Docket No.: RUBI5850)	

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 81.8

I hereby certify that this document is being transmitted by facsimile to Mail Stop AF, Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450, at 571-273-8300, on May 9, 2006.


Nita J. Miller

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Allowability and Fee(s) Due mailed May 3, 2006, Applicants submit the following comments regarding the Examiner's statement of reasons for allowance contained therein.

Reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims." 37 C.F.R. § 1.104(e).

In the present case, Applicants believe the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted. Furthermore, the statement may unfairly focus attention on the language of one of the independent claims although there are multiple allowed independent claims. Therefore, the record should reflect that Applicants do not necessarily agree with the Examiner's statement of reasons for allowance.

Applicants' claims should be limited only by the terms utilized therein. In this application, the Examiner loosely quotes portions of the allowed claims in the statement of reasons for allowance. Therefore, the statement is inaccurate to the extent that the language varies from the language that is recited in the respective claims. Thus, Applicants hereby submit these Comments in an effort to ensure that the claims are properly construed based only upon limitations that are expressly present therein and/or to ensure that the claims are not interpreted so as to include any additional claim limitations that are not found in the respective claims.

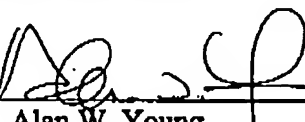
Should there remain unresolved issues that require action, it is respectfully requested that the Examiner telephone the undersigned so that any such issues may be resolved as expeditiously as possible.

Respectfully submitted,

Date:

May 9, 2006

By:


Alan W. Young
Attorney for Applicants
Registration No. 37,970

YOUNG LAW FIRM, P.C.
4370 Alpine Rd., Ste. 106
Portola Valley, CA 94028
Tel.: (650) 851-7210
Fax: (650) 851-7232

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